

Notice of Allowability

Application No.

10/750,396

Examiner

Qamrun Nahar

Applicant(s)

NIKOLOV, NIKOLAI G.

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 11/6/06.
2. ☒ The allowed claim(s) is/are 1, 5-6, 8-20, 24-25, 27-39, 43-44 and 46-57, renumbered 1-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

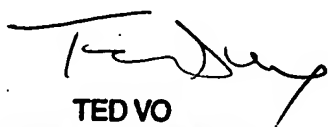
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 11/6/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TED VO
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

1. This action is in response to the amendment filed on 11/6/06. TT✓
2. The objections to the drawings are withdrawn in view of applicant's submission of replacement sheet and remarks/arguments.
3. The objections to the specification are withdrawn in view of applicant's amendment and/or remarks/arguments and Examiner's Amendment (See below).
4. The objections to claims 2-19, 21-38 and 40-57 are withdrawn in view of applicant's amendment.
5. The rejection under 35 USC 112, second paragraph, to claims 1, 20 and 39 is withdrawn in view of applicant's amendment.
6. The rejection under 35 USC 101 to claims 1-57 is withdrawn in view of applicant's amendment and Examiner's Amendment (See below).
7. The rejection under 35 USC 102(b) as being anticipated by Cirne (U.S. 6,260,187) to claims 1-7, 20-26 and 39-45 is withdrawn in view of applicant's amendment and remarks/arguments.
8. The rejection under 35 USC 103(a) as being unpatentable over Cirne (U.S. 6,260,187) in view of Berry (U.S. 6,026,237) to claims 8-19, 27-38 and 46-57 is withdrawn in view of applicant's amendment and remarks/arguments.
9. Claims 1, 5-6, 8-20, 24-25, 27-39, 43-44, 46-48 and 50-57 have been amended.
10. Claims 2-4, 7, 21-23, 26, 40-42 and 45 have been canceled.
11. Claims 1, 5-6, 8-20, 24-25, 27-39, 43-44 and 46-57 are pending.
12. Claims 1, 5-6, 8-20, 24-25, 27-39, 43-44 and 46-57 are allowed, renumbered 1-45.

Drawings

13. The drawings were received on 11/06/2006. These drawings are acceptable.

EXAMINER'S AMENDMENT

14. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert O'Rourke (Reg. No. 46,972) on 12/20/06.

The application has been amended as follows:

In the Specification:

On pg. 50, par. 0127, at line 12, after "e.g.", delete [http://] and insert the website located at

On pg. 50, par. 0127, at line 12, after "com" delete [/]

On pg. 66, par. 0160, at line 4, after "e.g.", delete [http://] and insert the website located at

In the Claims:

Claim 5 (Currently Amended),

At line 1, after “claim” delete [4]

Claim 20 (Currently Amended),

At line 1, before “medium” insert storage

Claim 24 (Currently Amended),

At line 1, before “medium” insert storage

Claim 25 (Currently Amended),

At line 1, before “medium” insert storage

Claim 27 (Currently Amended),

At line 1, before “medium” insert storage

Claim 28 (Currently Amended),

At line 1, before “medium” insert storage

Claim 29 (Currently Amended),

At line 1, before “medium” insert storage

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Claim 30 (Currently Amended),

At line 1, before “medium” insert storage

Claim 31 (Currently Amended),

At line 1, before “medium” insert storage

Claim 32 (Currently Amended),

At line 1, before “medium” insert storage

Claim 33 (Currently Amended),

At line 1, before “medium” insert storage

Claim 34 (Currently Amended),

At line 1, before “medium” insert storage

Claim 35 (Currently Amended),

At line 1, before “medium” insert storage

Claim 36 (Currently Amended),

At line 1, before “medium” insert storage

Claim 37 (Currently Amended),

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At line 1, before “medium” insert storage

Claim 38 (Currently Amended),

At line 1, before “medium” insert storage

Claim 39 (Currently Amended),

At line 2, before “medium” insert storage

At line 2, after “medium” insert and/or memory

Claim 43 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

At line 1, after “claim”, delete [42] and insert 39

Claim 44 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 46 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 47 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

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Claim 48 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 49 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 50 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 51 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 52 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 53 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 54 (Currently Amended),

At line 1, before “of”, delete [machine readable medium] and insert computing system

Claim 55 (Currently Amended),

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At line 1, before "of", delete [machine readable medium] and insert computing system

Claim 56 (Currently Amended),

At line 1, before "of", delete [machine readable medium] and insert computing system

Claim 57 (Currently Amended),

At line 1, before "of", delete [machine readable medium] and insert computing system

- END -

REASONS FOR ALLOWANCE

15. The following is an examiner's statement of reasons for allowance:

The cited prior art taken alone or in combination fail to teach, in combination with the other claimed limitations, when executed by said method, invokes a pre-existing dispatcher to identify a plug-in module for said method that said method invokes to report and/or record information about said method ... for a second method that registers, with said dispatcher upon loading of said classfile, an identity of said classfile's class and respective identities of methods of said classfile, said dispatcher and plug-in module being in existence prior to said loading of said classfile as recited in independent claims 1, 20 and 39.

The closest cited prior art, Avakian et al (US 2005/0039171) teaches a method of bytecode modification. However, Avakian et al (US 2005/0039171) fail to teach when executed by said method, invokes a pre-existing dispatcher to identify a plug-in module for said method

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that said method invokes to report and/or record information about said method ... for a second method that registers, with said dispatcher upon loading of said classfile, an identity of said classfile's class and respective identities of methods of said classfile, said dispatcher and plug-in module being in existence prior to said loading of said classfile as recited in independent claims 1, 20 and 39; and as pointed out by the applicant's arguments on pg. 26, par. 3 to pg. 28, par. 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

16. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y Zhen, can be reached on (571) 272-3708. The fax phone number for the organization where this application or processing is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

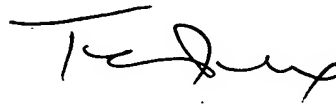
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Qamrun Nahar
December 22, 2006



**TED VO
PRIMARY EXAMINER
TECHNOLOGY CENTER 2100**